ASSEMBLY, No. 2948

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

Sponsored by:

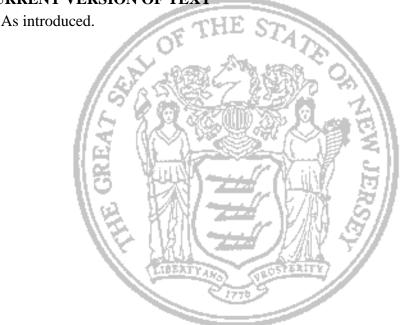
Assemblyman PARKER SPACE
District 24 (Morris, Sussex and Warren)
Assemblywoman SHAVONDA E. SUMTER
District 35 (Bergen and Passaic)
Assemblyman HAROLD "HAL" J. WIRTHS
District 24 (Morris, Sussex and Warren)

Co-Sponsored by: Assemblyman Webber

SYNOPSIS

Provides that no more than four of seven public members appointed to Highlands Water Protection and Planning Council may be of same political party.

CURRENT VERSION OF TEXT



(Sponsorship Updated As Of: 6/15/2020)

1 **AN ACT** concerning the Highlands Water Protection and Planning 2 Council, and amending P.L.2004, c.120 (C.13:20-5).

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BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

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- 1. Section 5 of P.L.2004, c.120 (C.13:20-5) is amended to read as follows:
- 5. a. The council shall consist of 15 voting members to be appointed and qualified as follows:
- (1) Eight residents of the counties of Bergen, Hunterdon, Morris, Passaic, Somerset, Sussex, or Warren, appointed by the Governor, with the advice and consent of the Senate, (a) no more than four of whom shall be of the same political party, (b) of whom five shall be municipal officials residing in the Highlands Region and holding elective office at the time of appointment and three shall be county officials holding elective office at the time of appointment, and (c) among whom shall be (i) at least one resident from each of the counties of Bergen, Hunterdon, Morris, Passaic, Somerset, Sussex, and Warren, and (ii) two residents from the county that has the largest population residing in the Highlands Region, of whom no more than one shall be of the same political party; and
- (2) Seven residents of the State, no more than four of whom shall be of the same political party, of whom five shall be appointed by the Governor, with the advice and consent of the Senate, one shall be appointed by the Governor upon the recommendation of the President of the Senate, and one shall be appointed by the Governor upon the recommendation of the Speaker of the General Assembly. The members appointed pursuant to this paragraph shall have, to the maximum extent practicable, expertise, knowledge, or experience in protection, quality natural resources protection, environmental protection, agriculture, forestry, land use, or economic development, and at least four of them shall be property owners, business owners, or farmers in the Highlands Region or residents or nonresidents of the Highlands Region who benefit from or consume water from the Highlands Region.
- b. (1) Council members shall serve for terms of five years; provided, however, that of the members first appointed, five shall serve a term of three years, five shall serve a term of four years, and five shall serve a term of five years. The initial terms of the two council members appointed by the Governor upon the recommendation, respectively, of the President of the Senate and the Speaker of the General Assembly shall be among those council members assigned initial terms of five years pursuant to this

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is

not enacted and is intended to be omitted in the law.

1 paragraph.

- (2) Each member shall serve for the term of the appointment and until a successor shall have been appointed and qualified. Any vacancy shall be filled in the same manner as the original appointment for the unexpired term only.
- c. Any member of the council may be removed by the Governor, for cause, after a public hearing.
- d. Each member of the council, before entering upon the member's duties, shall take and subscribe an oath to perform the duties of the office faithfully, impartially, and justly to the best of the member's ability, in addition to any oath that may be required by R.S.41:1-1 et seq. A record of the oath shall be filed in the Office of the Secretary of State.
- e. The members of the council shall serve without compensation, but the council may, within the limits of funds appropriated or otherwise made available for such purposes, reimburse its members for necessary expenses incurred in the discharge of their official duties.
- f. The powers of the council shall be vested in the members thereof in office. A majority of the total authorized membership of the council shall constitute a quorum and no action may be taken by the council except upon the affirmative vote of a majority of the total authorized membership of the council. No alternate or designee of any council member shall exercise any power to vote on any matter pending before the council.
- g. The Governor shall designate one of the members of the council as chairperson. The council shall appoint an executive director, who shall be the chief administrative officer thereof. The executive director shall serve at the pleasure of the council, and shall be a person qualified by training and experience to perform the duties of the office.
- h. The members and staff of the council shall be subject to the "New Jersey Conflicts of Interest Law," P.L.1971, c.182 (C.52:13D-12 et seq.).
- i. The council shall be subject to the provisions of the "Open Public Meetings Act," P.L.1975, c.231 (C.10:4-6 et seq.).
 - j. A true copy of the minutes of every meeting of the council shall be prepared and forthwith delivered to the Governor. No action taken at a meeting by the council shall have force or effect until 10 days, exclusive of Saturdays, Sundays, and public holidays, after a copy of the minutes shall have been so delivered; provided, however, that no action taken with respect to the adoption of the regional master plan, or any portion or revision thereof, shall have force or effect until 30 days, exclusive of Saturdays, Sundays, and public holidays, after a copy of the minutes shall have been so delivered. If, in the 10-day period, or 30-day period, as the case may be, the Governor returns the copy of the minutes with a veto of

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| 1 | any action taken by the council at the meeting, the action shall be |
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| 2 | null and void and of no force and effect. |
| 3 | (cf: P.L.2004, c.120, s.5) |
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| 5 | 2. This act shall take effect immediately. |
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| 8 | STATEMENT |
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| 10 | This bill provides that of the seven residents of the State |
| 11 | appointed to the Highlands Water Protection and Planning Council |
| 12 | by the Governor, not more than four of these members may be of |
| 13 | the same political party. |